

**United States Bankruptcy Court**  
**District of New Jersey**  
Mitchell H. Cohen U.S. Courthouse  
P.O. Box 2067  
Camden, New Jersey 08101

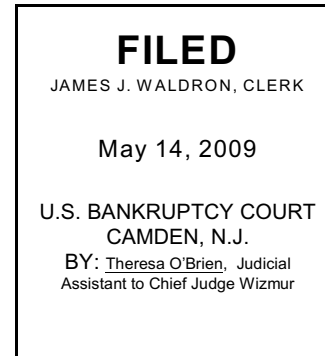
**JUDITH H. WIZMUR**  
Chief, U.S. Bankruptcy Judge

(856) 757-5126

May 14, 2009

Nina Banini  
201 Sandringham Road  
Cherry Hill, New Jersey 08003

Re: Nina Banini  
Case No. 09-17399/JHW  
**LETTER OPINION**



Dear Ms. Banini:

On April 27, 2009, I received a handwritten motion on your behalf seeking a second extension of the time to file the documents missing from your petition. Because you have consistently failed to abide by your responsibilities, both in this case and in the case you filed in December 2008, your request is denied, and your case will be dismissed.

I note that this is your second bankruptcy filing within the last year. On December 16, 2008, you filed a two page voluntary petition under Chapter 13 of the Bankruptcy Code, case number 08-34957/JHW, along with a certification that you had requested credit counseling but were unable to obtain services within the five day period. No explanation was offered to justify an exigent circumstances exception. Your bankruptcy filing did not include Schedules A-J, a Statement of Financial Affairs, a Chapter 13 Plan, a Credit Counseling Statement or a Statement of Current Monthly Income. You made a \$5.00 initial payment with your petition and your application to pay the filing fee in installments was approved. You were given until December 31, 2008 to file your missing documents. On January 5, 2009, you moved to extend the time period within which to file your missing documents, which was granted, extending the deadline until January 23, 2009. The documents were not filed. On January 29, 2009, you again sought an extension of the time to file your missing documents, which was again granted, extending the time until February 9, 2009. By February 19, 2009, your documents were still not filed, an order was entered dismissing your case, and your case was closed on March 12, 2009. A Certificate of Credit Counseling was never filed and no additional filing fee installment payments were ever received.

You filed a second voluntary petition under Chapter 13 of the Bankruptcy Code on March 27, 2009. This petition also failed to include Schedules A-J, a Statement of Financial Affairs, a Chapter 13 Plan, a Credit Counseling Statement or a Statement of Current Monthly Income, in addition to other required forms. You certified that you received credit counseling within the 180 day period prior to your bankruptcy filing, but that a certificate was not yet available. You were afforded fifteen (15) days within which to provide a copy of the certificate to the court. There is no indication in the record that the certificate has ever been filed with the court. You made a \$10.00 initial payment toward your filing fee with your petition and your application to pay the filing fee in installments was approved. Your second installment toward your filing fee in the amount of \$100.00 was due on April 27, 2009. You were given until April 13, 2009 to file your missing documents.

On April 14, 2009, you requested additional time to file your documents. You explained that you had initially utilized the services of a bankruptcy petition preparer, but that you were now proceeding on your own. Your motion was granted, extending the time to file your missing documents until April 27, 2009. On April 27, 2009, you filed this second request to extend the time to your missing documents, stating that you were overwhelmed with the paperwork. You also failed to make your second filing fee installment, and your case has been scheduled for dismissal on that ground for May 26, 2009.

Over the course of your last two bankruptcy filings, you have failed to produce evidence of having obtained credit counseling or to establish exigent circumstances excusing such failure. You have paid only a total of \$15.00 toward the cost of two bankruptcy filing fees. The time to file your missing documents in your first case was extended twice at your request, with no further compliance on your part. This is now your second request in this case to extend the time to file your missing schedules. Moreover, you have had an additional two weeks since the time of your application for an extension and you still have not filed any documents. Effectively, you have had since December 2008 to file a complete set of documents associated with your bankruptcy case and yet you have failed to do so. Your case is also currently scheduled for dismissal for failure to pay your second filing fee installment. Your failure to comply with requirements compels the dismissal of your case.

An order of dismissal has been entered. A copy of the order is enclosed.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Judith H. Wizmur', with a long, sweeping horizontal line extending to the right.

JUDITH H. WIZMUR  
CHIEF JUDGE  
U.S. BANKRUPTCY COURT

Enclosure  
JHW:tob